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SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

**FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 25, 2010**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Boe, Ruchti. Total – 2.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Laura Hampikian, Page.

Approval of Journal

January 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twelfth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 25, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 401](#), [H 402](#), [H 403](#), [H 404](#), [H 405](#), [H 406](#), [H 407](#), [H 408](#), [H 409](#), [H 410](#), and [H 411](#).

CLARK, Chairman

[H 401](#), [H 403](#), [H 404](#), and [H 405](#) were referred to the State Affairs Committee.

[H 402](#) was referred to the Judiciary, Rules, and Administration Committee.

[H 407](#), [H 408](#), [H 409](#), [H 410](#), and [H 411](#) were referred to the Resources and Conservation Committee.

[H 406](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 412 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ADMINISTRATIVE RULES; AMENDING SECTION 67-5201, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5204, IDAHO CODE, TO PROVIDE FOR ELECTRONIC PUBLICATION OF THE IDAHO ADMINISTRATIVE CODE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5205, IDAHO CODE, TO PROVIDE FOR ELECTRONIC COPIES OF THE IDAHO ADMINISTRATIVE CODE, TO REVISE LANGUAGE RELATING TO THE FORMAT, COSTS AND DISTRIBUTION OF SUCH CODE, AND TO REVISE LANGUAGE RELATING TO CERTAIN FEES; AMENDING SECTION 67-5226, IDAHO CODE, TO REVISE LANGUAGE RELATING TO AN EXEMPTION FROM CERTAIN REQUIREMENTS OF IDAHO CODE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 413 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ADMINISTRATIVE RULES; AMENDING SECTION 67-5203, IDAHO CODE, TO PROVIDE FOR THE ELECTRONIC PUBLICATION OF THE IDAHO ADMINISTRATIVE BULLETIN, TO PROVIDE THAT ALL DOCUMENTS PUBLISHED ELECTRONICALLY IN THE BULLETIN SHALL BE THE OFFICIAL TEXT, TO PROVIDE FOR JUDICIAL NOTICE, TO REMOVE LANGUAGE PROVIDING THAT THE COORDINATOR SHALL PROVIDE FOR ACCESS TO THE BULLETIN AND THE ADMINISTRATIVE CODE BY ELECTRONIC MEANS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 414 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ADMINISTRATIVE RULES; AMENDING SECTION 67-5221, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PUBLIC NOTICE REQUIREMENTS FOR PROPOSED RULEMAKING, TO REMOVE LANGUAGE RELATING TO CERTAIN NEGOTIATED RATES AND TO MAKE TECHNICAL CORRECTIONS.

[H 412](#), [H 413](#), and [H 414](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

[H 379](#), by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

[H 380](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall [H 380](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Bayer, Boe, Durst, Ruchti. Total – 4.
Total – 70.

Whereupon the Speaker declared that [H 380](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 381](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall [H 381](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.
Total – 70.

Whereupon the Speaker declared that [H 381](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 382](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall [H 382](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 382](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 384](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall [H 384](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.
Total – 70.

Whereupon the Speaker declared that [H 384](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 385](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall [H 385](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.
Total – 70.

Whereupon the Speaker declared that [H 385](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 388](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall [H 388](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.
Total – 68.

NAYS – None.

Absent and excused – Boe, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 388](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, January 26, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:56 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk